



United States Coast Guard

Marine Inspection Office Europe



Lylantse Plein 1 Box 189
2908 LH Capelle a/d IJssel
The Netherlands
Phone: 31 (0) 10 442 4458
Fax: 31 (0) 10 450 4752
inspections@acteur.uscg.mil

MARINE SAFETY INFORMATION BULLETIN (MSIB) 08-03

December 31, 2003

U.S. FLAGGED VESSEL GUIDELINES FOR THE MARITIME TRANSPORTATION SECURITY ACT AND THE INTERNATIONAL SHIP AND PORT FACILITY SECURITY CODE

This MSIB highlights important aspects regarding the applicability of the new vessel security requirements to US flag vessels. Furthermore, this MSIB describes how inspection and verification will be conducted in ACT/MIO Europe's area of responsibility. Operators of foreign flag vessels¹ are referred to MSIB 06-03 and applicable MTSA guidance for foreign vessels at the following web address: www.uscg.mil/hq/g-m/mp/index.htm

APPLICABILITY FOR US FLAG VESSELS:

33 CFR 104.105 provides a detailed list of the vessels that are required to comply with the vessel security requirements.

In a recently released policy NVIC², the U.S. Coast Guard has determined that all vessels operating abroad, including those exclusively operating in a foreign country, that meet the general applicability of the International Convention for the Safety of Life at Sea (SOLAS), 1974 for service and/or gross tonnage shall comply with the ISPS Code regardless if the vessel was not previously required to comply with SOLAS 1974. Examples of these include, but are not limited to, crew boats authorized to carry more than 12 passengers operating exclusively in one foreign country; offshore supply vessels with keel laying dates prior to March 15, 1996 and oceanographic research vessels that are less than 500 Gross Regulatory tons but are over 500 gross tons under the International Tonnage Convention.

¹ See Navigation and Vessel Inspection Circular (NVIC) 06-03, "Coast Guard Port State Control Targeting and Boarding Policy for Vessel Security and Safety". NVIC 06-03 is available at the following web address: <http://www.uscg.mil/hq/g-m/nvic/index.htm>

² See Navigation and Vessel Inspection Circular (NVIC) 04-03, "Guidance for Verification of Vessel Security Plans on Domestic Vessels in accordance with the regulations mandated by the Maritime Transportation Security Act (MTSA) 2002 and International Ship & Port Facility Security (ISPS) Code". NVIC 04-03 is available at the following web address: <http://www.uscg.mil/hq/g-m/nvic/index.htm>

Note: In general, the assigned International Tonnage Convention gross tonnage (ITC GT) should be used for applicability purposes. Further clarification regarding the use of ITC GT versus Gross Regulatory Tonnage (GRT) can be found in the U.S. Coast Guard's NVIC 11-93, Change 3.

MARSEC DIRECTIVES:

MARSEC directives are considered SENSITIVE SECURITY INFORMATION and will only be distributed to certain industry and company representatives that have demonstrated a specific need for these documents. Given the size and international span of ACT/MIO Europe's area of responsibility, it is difficult for us to provide a secure and timely means to disseminate the applicable directives. Operators of U.S. flag vessels operating abroad should first try to obtain the applicable MARSEC directives from their U.S. based offices or at the nearest stateside USCG Marine Safety Office.

VESSEL SECURITY PLAN REVIEW FOR US FLAG VESSELS:

Vessel Security plans for U.S. flag vessels shall be submitted to the U.S. Coast Guard Marine Safety Center by December 31, 2004 in accordance with the MTSA regulations and policy in NVIC 04-03. The US Coast Guard Marine Safety Center (MSC) may be contacted at the following address:

Commanding Officer
Marine Safety Center
Room 6302
400 Seventh Street S.W.
Washington, D.C. 20590
PH: 202 366 6480
<http://www.uscg.mil/hq/msc/index.htm>

Vessel security plans that are submitted to ACT/MIO Europe will either be refused at the point of delivery, or returned without action to the submitter. Starting in January 2004, USCG Officers in Charge, Marine Inspections (OCMIs) and Captains of the Port will review the list of vessels that have submitted vessel security plans to the MSC. Operators of U.S. flag vessels who have not submitted security plans, including operators of vessels working outside U.S. waters, will be subject to substantial civil fines.

INSPECTION, VERIFICATION, & ENFORCEMENT FOR US FLAG VESSELS:

At present, Marine Inspection Office (MIO) Europe will not conduct security verification exams on U.S. vessels until vessel security plan review is completed by the U.S. Coast Guard's Marine Safety Center. Operators requesting a security verification exam within ACT/MIO Europe's area of responsibility on their vessel(s) shall provide, at a minimum, 30 days notification. Inspection requests received with less than 30 days advance notice, in general, will not be entertained.

Vessels required to comply with ISPS WILL NOT be issued an ISSC if any deficiencies are noted during the verification exam. Further, because of the anticipated large number of requests for vessel security verification exams, operators should not plan on Marine Inspectors delaying their departure from the vessel to provide operators time to rectify deficiencies. Follow-up verification exams should be requested via our standard procedures after all deficiencies have been rectified.

Vessels that are required to comply with the ISPS Code will not be allowed to operate after July 1, 2004 without a valid ISSC.

USCG Headquarters has established a helpdesk to provide information and answer questions about MTSA and other maritime security related work. You can call the desk in the United States at (202)366-9991, from 0800 to 2000 East Coast Time, or send an email message to uscgregs@comdt.uscg.mil.

If you have any questions or require further clarification about policies specific to ACT/MIO Europe's area of responsibility, please contact our Inspection staff at the above listed numbers. Inquiries or requests for vessel inspections and/or exams may also be sent to our general e-mail address at inspections@acteur.uscg.mil.



F. J. Sturm

Captain, U.S. Coast Guard
Officer in Charge of Marine Inspection